

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

PORTIA MCCOLLUM, Derivatively on)
Behalf of Nominal Defendant THE ESTÉE)
LAUDER COMPANIES INC.,)

Plaintiff,)

v.)

FABRIZIO FREDA, RONALD S.)
LAUDER, LEONARD A. LAUDER,)
WILLIAM P. LAUDER, JANE LAUDER,)
CHARLENE BARSHEFSKY, ANGELA)
WEI DONG, PAUL J. FRIBOURG,)
JENNIFER HYMAN, ARTURO NUÑEZ,)
RICHARD D. PARSONS, LYNN)
FORESTER DE ROTHSCHILD, BARRY)
S. STERNLICHT, JENNIFER TEJADA,)
RICHARD F. ZANNINO, ROSE MARIE)
BRAVO, WEI SUN CHRISTIANSON,)
GARY M. LAUDER, and TRACEY T.)
TRAVIS,)

Defendants,)

and)

THE ESTÉE LAUDER COMPANIES)
INC.,)

Nominal Defendant.

Case No. 1:24-cv-00716-AS

STIPULATION AND [PROPOSED] ORDER OF VOLUNTARY DISMISSAL

WHEREAS, plaintiff Portia McCollum (“Plaintiff”) commenced the above-captioned shareholder derivative action (the “Action”) on behalf the nominal defendant The Estée Lauder Companies Inc. (“Estée Lauder” or the “Company”) on February 1, 2024 (Dkt. No. 1);

WHEREAS, on March 7, 2024, the Court designated the Action as related to the pending securities class action, *In re The Estée Lauder Companies Inc. Securities Litigation*, 1:23-cv-10669-AS (S.D.N.Y.), also pending before this Court (Dkt. No. 5);

WHEREAS, on March 14, 2024, Plaintiff filed Waivers of Service for each of the Individual Defendants¹ (Dkt. No. 7);

WHEREAS, counsel for Plaintiff and counsel for Defendants have met and conferred several times regarding next steps and scheduling;

WHEREAS, Plaintiff has determined to voluntarily dismiss the Action in order to pursue her remedies under Delaware State Law;

WHEREAS, Defendants have filed neither an answer nor a motion for summary judgment in the Action;

WHEREAS, neither Plaintiff nor her counsel have received or been promised any consideration in exchange for the dismissal; and

WHEREAS, the rights of the Company's other shareholders will not be adversely affected, nor prejudiced by dismissal of the Action without prejudice.

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff and Defendants, by their undersigned counsel, that:

1. The Action is dismissed without prejudice pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure.

¹ The "Individual Defendants" are defendants Fabrizio Freda, Ronald S. Lauder, Leonard A. Lauder, William P. Lauder, Jane Lauder, Charlene Barshefsky, Angela Wei Dong, Paul J. Fribourg, Jennifer Hyman, Arturo Nuñez, Richard D. Parsons, Lynn Forester de Rothschild, Barry S. Sternlicht, Jennifer Tejada, Richard F. Zannino, Rose Marie Bravo, Wei Sun Christianson, Gary M. Lauder, and Tracey T. Travis (collectively, with nominal defendant Estée Lauder, "Defendants").

2. Notice to the shareholders pursuant to Fed. R. Civ. P. 23.1 is deemed unnecessary because no answer or motion for summary judgment has been filed; neither Plaintiff nor her counsel have received or been promised any consideration in exchange for the dismissal; there has been no settlement or compromise of any claims; and the rights of the Company's other shareholders will not be adversely affected, nor prejudiced by Plaintiff's dismissal of the Action without prejudice to pursue her Delaware State Law remedies.

Dated: April 11, 2024

Respectfully submitted,

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IT IS SO ORDERED:

Dated: _____, 2024

HON. ARUN SUBRAMANIAN
UNITED STATES DISTRICT JUDGE

Because this dismissal is pursuant to Rule 41(a)(1)(A)(i), it does not need the Court's endorsement. The Clerk of Court is directed to close this case.

SO ORDERED.



Arun Subramanian, U.S.D.J.
Date: April 12, 2024